IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 1ST FEBRUARY 2007 / 12TH MAGHA 1928

WP(C).No. 2816 of 2007(I)

PETITIONER:

RADHAKRISHNAN NAIR, AGED 47 YEARS,
S/O.BHASKARAN NAIR, BABY BHAVANAM,
KAIMANAM, NEMAM VILLAGE, THIRUVANANTHAPURAM.

BY ADV. SRI.ALPHONS KANNAMTHANAM
SRI.SUJITH MATHEW JOSE

RESPONDENTS:
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1. DIRECTOR GENERAL OF POLICE, KERALA.

2. COMMISSIONER OF POLICE,
THIRUVANANTHAPURAM CITY.

3. ASST. COMMISSIONER OF POLICE,
FORT, THIRUVANANTHAPURAM.

4. C.I. OF POLICE, KARAMANA,
THIRUVANANTHAPURAM.

5. S.I.OF POLICE, KARAMANA,
THIRUVANANTHAPURAM.

BY G.P. SHRI P.A. SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B. Koshy &
T.R. Ramachandran Nair JJ.
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W.P.(C).NO.2816 of 2007-T
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Dated this the 1st day of February, 2007

JUDGMENT

Koshy, J.

This is a petition alleging police harassment. It is the case of the petitioner that he is the defacto complainant in Crime No.20/2007 of Karamana Police Station. Police registered the case against 11 accused. But according to the petitioner, only five persons are involved in the incident and in the wound certificate also those names are only mentioned. But in order to dilute the case, 11 persons were made as accused at the instance of the Asst. Commissioner of Police, for that he filed Ext.P3 complaint before the Commissioner of Police. On filing the complaint, the police is harassing the petitioner.

2. Learned Govt. Pleader on instructions submits that police is only investigating the crime and not harassing the petitioner. But, we make it clear that police shall not compel the petitioner to withdraw the complaint and unnecessarily persons who are not involved in the crime, should not be made as accused, so that case can be diluted and merely because of filing of Ext.P3, petitioner shall not be harassed and if any such complaints are there,

that should be seriously looked into by the higher authorities.

With the above observations, the writ petition is disposed of.

(J. B. Koshy, Judge.)

(T.R. Ramachandran Nair, Judge.)

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